

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF MASSACHUSETTS

C.A. NO. 05-40075FDS

DANIEL HOUDE,

Plaintiff,

v.

ROBERT TURGEON, STEPHEN GUNNERSON,
KEVIN JOHANSON, MATTHEW D'ANDREA,
BRIAN HALLORAN, THOMAS DUFFY,
SEAN MCCANN and CITY OF WORCESTER

Defendants.

**PLAINTIFF'S MOTION TO ALLOW ADDITIONAL TIME
FOR SERVICE OF PROCESS ON THE INDIVIDUAL DEFENDANTS**

Plaintiff Daniel Houde hereby moves for a grant of an additional thirty days (up to and including October 17) to serve the individual defendants in this matter. As reasons therefore, Plaintiff states as follows:

- (1) Plaintiff has filed his return of service on the City of Worcester.
- (2) Plaintiff has diligently pursued service of the individually named Defendants. First, service was attempted at their place of business, the City of Worcester Police Department. The Department refused to receive process from the Worcester Sheriff's Department. Second, undersigned counsel was contacted by the City of Worcester Law Department. Although that department stated that it would be representing all

defendants, the Law Department refused to accept service of process directly on behalf of the defendants.

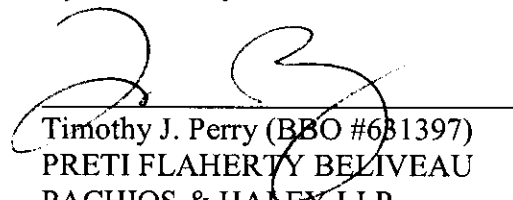
- (3) As a result, Plaintiff shall be forced to find each defendant for service in hand or at their place of residence. Plaintiff has undertaken to do so, but anticipates that an additional thirty days may be required to obtain the requisite service.

WHEREFORE, Plaintiff requests that this motion be allowed and that he be allowed until October 17, 2005 to return service of process on the individual defendants to the Court.

Respectfully submitted,

PLAINTIFF DANIEL HOUDE,

By his attorney,



Timothy J. Perry (BBO #631397)
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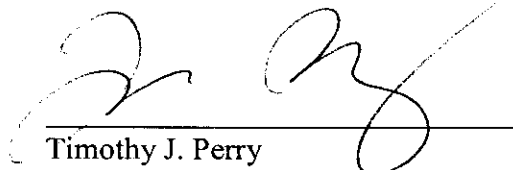
Local Rule 7.1 Certificate

I certify that as of this date, I have not been informed of a formal appearance of counsel for any party. Indeed, no responsive pleadings have been received by undersigned counsel for any party to date. Therefore, I am unable to confer with counsel of record for the parties at this time.

Certificate Regarding Service

I certify that as of this date, I have not been informed of a formal appearance of counsel for any party. Indeed, no responsive pleadings have been received by undersigned counsel on behalf of any party to date. Therefore, I am unable to serve this pleading on counsel for any parties at this time.

Date: August 11, 2005



Timothy J. Perry